

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PETER MORGAN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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Case No. 12-12071

Paul D. Borman  
United States District Judge

R. Steven Whalen  
United States Magistrate Judge

**ORDER:**

- (1) ADOPTING REPORT AND RECOMMENDATION (ECF NO. 45);**
- (2) GRANTING PETITION FOR APPROVAL OF ATTORNEY FEES**  
**(ECF NO. 34) SUBJECT TO MODIFICATION;**
- (3) GRANTING MOTION TO MODIFY PETITION FOR APPROVAL**  
**OF ATTORNEY FEES (ECF NO. 40); AND**
- (4) GRANTING REVISED PETITION FOR APPROVAL OF**  
**ATTORNEY FEES (ECF NO. 43)**

On November 28, 2017, Magistrate Judge R. Steven Whalen issued a Report and Recommendation to grant Plaintiff's counsel's petition for attorney fees, subsequent request to modify that petition, and revised petition for attorney fees. (ECF No. 45.) Having reviewed the Report and Recommendation, and there being no timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court hereby ADOPTS the Report and Recommendation, GRANTS the Petition for Approval of Section 406(b) Attorney Fees (ECF No. 34) subject to modification,

GRANTS the Petition to Modify Petition for Approval of § 406(b) Attorney Fees (ECF No. 40), and GRANTS the Revised Petition for Approval of § 406(b) Attorney Fees (ECF No. 43), awarding a § 406(b) attorney fee in the amount of \$6,152.58, with 50% (\$3,076.29) being refunded to Plaintiff Peter Morgan pursuant to the Equal Access to Justice Act.

IT IS SO ORDERED.

s/Paul D. Borman  
Paul D. Borman  
United States District Judge

Dated: December 15, 2017

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 15, 2017.

s/D. Tofil  
Deborah Tofil, Case Manager